

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

ADVANCED SOFTWARE DESIGN,)
CORP., et al.,)
)
Plaintiffs,)
)
vs.)
)
FEDERAL RESERVE BANK OF)
ST. LOUIS, et al.,)
)
Defendants.)

Case No. 4:07CV185 CDP

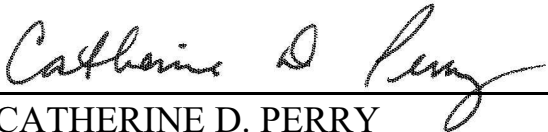
ORDER

There are three pending motions in this case. The defendants' motion to dismiss for lack of jurisdiction and the government's motion to intervene are fully briefed. The government also filed a motion for summary judgment on June 7, 2007, which raises similar issues as those argued in the other briefed and pending motions. Under the Court's local rules, any response in opposition to summary judgment is already late. Defendants request that the Court enter an order either treating the plaintiffs' surreply as their opposition to the government's summary judgment motion or requiring the plaintiffs to file any further non-duplicative opposition within ten days, so that all three pending motions can be ruled together. Plaintiffs have filed no response in opposition to defendants' suggestion. I believe plaintiffs' arguments in opposition to summary judgment will be similar, if not the

same, as their arguments made in response to the other pending motions, including their surreply filed in regards to the motion to dismiss. Given the similarity of the arguments and the fact that plaintiffs' opposition is already overdue, plaintiffs will have five (5) days from the date of this order to either notify the Court that they would like their surreply to be treated as a response in opposition to the government's motion for summary judgment, or to file a brief in opposition. Any reply brief must be filed no later than ten (10) days following the filing of the opposition brief.

Accordingly,

IT IS HEREBY ORDERED that plaintiffs shall have five (5) days from the date of this order to either notify the Court that they would like their surreply to be treated as a response in opposition to the government's motion for summary judgment, or to file a separate brief in opposition to summary judgment. Any reply brief shall be filed no later than ten (10) days after the filing of the response in opposition.



CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 23rd day of July, 2007.